

Bastrop, TX City Council Meeting Agenda
Bastrop City Hall City Council Chambers
1311 Chestnut Street
Bastrop, TX 78602
(512) 332-8800



November 12, 2024

Regular City Council Meeting at 6:30 PM

City of Bastrop City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at (512) 332-8800 or write 1311 Chestnut Street, 78602, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.

The City of Bastrop reserves the right to reconvene, recess, or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

PLEASE NOTE: ANYONE IN ATTENDANCE WISHING TO ADDRESS THE COUNCIL MUST COMPLETE A CITIZEN COMMENT FORM AND GIVE THE COMPLETED FORM TO THE CITY SECRETARY PRIOR TO THE START OF THE CITY COUNCIL MEETING. ALTERNATELY, IF YOU ARE UNABLE TO ATTEND THE COUNCIL MEETING, YOU MAY COMPLETE A CITIZEN COMMENT FORM WITH YOUR COMMENTS AT CITYOFBASTROP.ORG/CITIZENCOMMENT AT LEAST TWO HOURS BEFORE THE MEETING STARTS ON THE REQUESTED DATE. COMMENTS SUBMITTED BY THIS TIME WILL BE GIVEN TO THE CITY COUNCIL DURING THE MEETING AND INCLUDED IN THE PUBLIC RECORD, BUT NOT READ ALOUD. COMMENTS FROM EACH INDIVIDUAL IN ATTENDANCE WILL BE LIMITED TO THREE (3) MINUTES.

1. CALL TO ORDER

- 2. PLEDGE OF ALLEGIANCE** - Cadet Lieutenant Commander Jacob Ellis Seabear and Cadet Senior Chief Gianna Ochoa Seabear, Bastrop High School NJROTC

TEXAS PLEDGE OF ALLEGIANCE - *Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.*

- 3. INVOCATION** - Dale Burke, Police Chaplain

4. PRESENTATIONS

4A. Mayor's Report

4B. Council Members' Report

- 4C. Presentation of a Joint Resolution between the City of Bastrop and Bastrop County, in honor of Veterans Day on November 11, 2024.

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

- 4D. Proclamation: Declaring Hannibal Lokumbe Day on November 16, 2024.

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

5. WORK SESSIONS/BRIEFINGS

- 5A. Consider the *DRAFT* Council Data Request Policy to assist in the orderly process of request for information.

Submitted by: Alan Bojorquez, City Attorney

6. STAFF AND BOARD REPORTS

- 6A. City Manager's Report

- 1) Update on Visit Bastrop Contract
- 2) Museum and Visitor Center Report Update on
- 3) Revised Procedure for ETJ Releases
- 4) Update on Blakey Street Funding
- 5) Update on the City Secretary position

7. CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. Anyone in attendance wishing to address the Council must complete a citizen comment form and give the completed form to the City Secretary prior to the start of the City Council meeting. Alternately, if you are unable to attend the council meeting, you may complete a citizen comment form with your comments at www.cityofbastrop.org/citizencommentform at least two hours before the meeting starts on the requested date. Comments submitted by this time will be given to the City Council during the meeting and included in the public record, but not read aloud. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, City Council cannot discuss issues raised or make any decision at this time. Instead, City Council is limited to making a statement of specific factual information or a recitation of existing policy in response to the inquiry. Issues may be referred to City Manager for research and possible future action.

It is not the intention of the City of Bastrop to provide a public forum for the embarrassment or demeaning of any individual or group. Neither is it the intention of the Council to allow a member of the public to slur the performance, honesty and/or integrity of the Council, as a body, or any member or members of the Council individually or collectively, or members of the City's staff. Accordingly, profane, insulting or threatening language directed toward the Council and/or any person in the Council's presence will not be tolerated.

8. CONSENT AGENDA

The following may be acted upon in one motion. A Council Member or a citizen may request items be removed from the Consent Agenda for individual consideration.

- 8A. Consider and act to approve the Bastrop City Council meeting minutes from the Tuesday, October 22, 2024 Regular Meeting.

Submitted by: Victoria Psencik, Assistant City Secretary

- 8B. Consider and act on the second reading of Ordinance No. 2024-39 of the City Council of the City of Bastrop, Texas, approving the zoning change for 2.20 +/- acres out of Building Block 111 east of Water Street, located east of HW 95, within the City of Bastrop from P4 Mix to P3 Residential as shown in Attachment A of the ordinance; providing for findings of fact; providing for repealer; providing for severability; providing for enforcement; providing for proper notice and meeting; and establishing an effective date.

Submitted by: Kennedy Higgins – Senior Planner, Development Services

- 8C. Consider and act on the second reading of Ordinance No. 2024-38 of the City Council of the City of Bastrop, Texas, approving the zoning change for 2 +/- acres out of Building Block 110 east of Water Street, located east of SH 95, within the City of Bastrop from P5 Core to P3 Residential, as shown in Attachment A of the ordinance; providing for findings of fact; providing for repealer; providing for severability; providing for enforcement; providing for proper notice and meeting; and establishing an effective date.

Submitted by: Kennedy Higgins – Senior Planner, Development Services

- 8D. Consider and act on the second reading of Ordinance No. 2024-40 to adopt the 2025 Schedule of Uniform Submittal Dates for Plats in accordance with the Bastrop Building Block (B³) Code Section 2.3.004 Annual Adoption of Schedule of Uniform Submittal Dates, and the Bastrop Building Block (B³) Technical Manual Section 1.2.002 Uniform Submittal Dates, as shown in Attachment 1; providing for findings of fact; providing for repealer; providing for severability; providing for enforcement; providing for proper notice and meeting; and establishing an effective date.

Submitted by: Kennedy Higgins – Senior Planner, Development Services

- 8E. Consider and act on Resolution No. R-2024-155, Accepting a donation from the Frontier Bank of Texas in the amount of \$3,000.00 (Three Thousand Dollars) for the upcoming Merry on Main Event being held in Downtown Bastrop, TX, on Saturday December 14, 2024.

Submitted by: Michaela Joyce, Main Street Manager

- 8F. Consider and act on Resolution No. R-2024-156, Accepting a donation from the Roscoe Bank in the amount of \$1,500.00 (One Thousand Five Hundred Dollars) for the upcoming Merry on Main Event being held in Downtown Bastrop, TX, on Saturday December 14, 2024.

Submitted by: Michaela Joyce, Main Street Manager

- 8G. Consider and act on Ordinance 2024-42 approving the "Covered Applications and Prohibited Technology Policy" as required by Senate Bill 1893.

Submitted by: Tanya Cantrell, Director of Human Resources & Jaime Saldivar, Information Technology Director

- 8H. Consider and act on the second reading Ordinance No. 2024-37, Amending Chapter 1 "General Provisions", Article 1.02 "Administration", Section 1.02.003 "Official Newspaper; Posting of Notices in lieu of Newspaper Publication" to Declare the ELGIN COURIER as the Official Newspaper for Required Newspaper Publications by the City; Providing for Findings of Fact; Providing for Repealer; Providing for Severability; Providing for Proper Notice and Meeting; And Establishing an Effective Date.

Submitted by: Victoria Psencik, Assistant City Secretary

9. ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider and act on first reading of Ordinance No. 2024-41, Canvass Special Election (ENGLISH AND SPANISH VERSIONS)

Submitted by: Victoria Psencik, Assistant City Secretary

- 9B. Consider and act on Resolution No. R-2024-161, Appointing Jeffrey Estes to Place 5 of the Planning and Zoning Commission for a Three-Year Term beginning November 2024 and Ending in September 2027; Receiving Confirmation by the City Council of the Appointment; And Providing for an Effective Date.

Submitted by: Mayor Lyle Nelson

- 9C. Consider action to approve Resolution No. R-2024-162 of the City Council of the City of Bastrop, Texas regarding the Bastrop Central Appraisal District (CAD) election voting for the 2024 Board of Directors; establishing a repealing clause; and establishing an effective date.

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

- 9D. Consider and act on the second reading of Ordinance No. 2024-35, amending Appendix A - Fee Schedule, Section A1.12 – Libraries; establishing a repealing clause; providing severability; and providing an effective date.

Submitted by: Bonnie Pierson, Library Director

- 9E. Consider and act to approve:

A. Resolution No. R-2024-132 of the City Council of the City of Bastrop, Texas approving a loan from the General Fund for the purchase of the columbarium units for the Fairview Cemetery Section 9 Expansion Project, at a cost of \$174,471.20 (one hundred seventy-four thousand, four hundred seventy-one and 20/100 cents); as attached in Exhibit A;

B. Resolution No. R-2024-163 of the City Council of the City of Bastrop, Texas, ratifying the expenditure of \$86,325.60 to sole source provider, Architarium, LLC, as attached in Exhibit B (Manufacturing Agreement).

and authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Elizabeth Wick, CFM, Project Manager

- 9F. Consider and act on Resolution No. R-2024-157, Awarding a contract, attached as Exhibit A, for the Bastrop Power & Light 4th Feeder Design to McCord Engineering, Inc. in the amount not to exceed Sixty-Three Thousand and 00/100 Dollars (\$63,000.00); authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Andres Rosales, Assistant City Manager

- 9G. **TABLED 10/22/2024:** Consider and act on Ordinance No. 2024-36, Amending 2024 Fiscal Year Budget Following Existing Statutory Requirements; Detailing Appropriations Contained Herein as *Exhibit A*; Repealing all Prior Ordinances and Actions in Conflict Herewith; Establishing an Effective Date and Publication.

Submitted by: Laura Allen, Assistant Finance Director

- 9H. Consider and act on Resolution No. R-2024-158, Approving the 2024 Tax Roll and Tax Levy; providing for a repealing clause; and providing for an effective date.

Submitted by: Laura Allen, Assistant Finance Director

- 9I. **POSTPONED 9/10/2024:** Take no action on Resolution No. R-2024-114, A disannexation of land from the city's 1-mile extraterritorial jurisdiction, for 2.00 acres of property known as Nancy Blakey Abstract No. A98, located at 1285 West State Highway 71, Unit A, Bastrop, Texas in Bastrop County, Texas; upon request and providing for findings of fact, repealer, severability, effective date, proper notice, and meeting.

Submitted by: Vivianne Nicole Andres, Assistant to the City Manager

- 9J. Consider and act on Resolution No. R-2024-159, Authorizing the City Manager to enter into an agreement with the City of Bastrop Water/Wastewater Department to utilize a portion of the City of Bastrop's American Rescue Plan funds; providing for findings of fact, repealer; effective date, proper notice and meeting.

Submitted by: Laura Allen, Assistant Finance Director

- 9K. Consider and act on approve Resolution No. R-2024-160, Reassigning the rehabilitation of Wastewater Treatment Plants #1 and #2 as an American Rescue Plan Act (ARPA) program from the Transfer Lift Station and Force Main wastewater system improvement; providing for a repealing clause; and establishing an effective date.

Submitted by: Laura Allen, Assistant Finance Director

- 9L. Consider and act on Ordinance No. 2024-43, amending the FY 25 Operating Budget to fund the replacement of the Bob Bryant Park Playscape, Shade Structure Cloth, New Playground Surfacing and Swings Feature in the amount of \$100,000 from the General Fund Operating Fund Balance.

Submitted by: Edi McIlwain, Finance Director & Terry Moore, Parks & Recreation Director

- 9M. Consider and act on Resolution No. R-2024-164 allowing the Mayor to promote and advocate for the City of Bastrop with Legislative and Administrative bodies leading up to and during the 89th Legislative Session, rescinding Section 1, Item 7 from Resolution No. R-2024-049 adopted April 29, 2024

Submitted by: Mayor Lyle Nelson and Councilmember Cheryl Lee

10. EXECUTIVE SESSION

- 10A. City Council shall convene into closed executive session pursuant to Texas Government Code Section 551.071 and Section 551.072 to seek the advice of legal counsel and to deliberate regarding the proposed real estate acquisition of a waterline easement across property located at 243 State Highway 304, related to the Westside Collection System Project.
- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code Section 551.071 and Section 551.072 to seek the advice of legal counsel and to deliberate regarding the proposed real estate acquisition of an easement located in the future Agnes Street location.
- 10C. City Council shall convene into closed executive session pursuant to Texas Government Code Section 551.071 and Section 551.074 to seek the advice of legal counsel and to discuss the annual evaluation of the City Manager, Sylvia Carrillo-Trevino.
- 10D. City Council shall convene into closed executive session pursuant to Texas Government Code Section 551.071 and Section 551.087 to seek the advice of legal counsel and to deliberate regarding a proposed economic incentive to Burleson Crossing East, located at Burleson Road and Hwy 71.
- 10E. City Council shall convene into closed executive session pursuant to Texas Government Code Sections 551.071 and 551.072 to seek the advice of legal counsel regarding acquisitions of real estate related to the West Side Collection System Project and pending litigation in the following eminent domain proceeding pending in the Bastrop County Court at Law No. 1: Cause No. 21-20690, *City of Bastrop v. Reid Sharp and Cindy Sharp*.
- 10F. City Council shall convene into closed executive session pursuant to Texas Government Code Section 551.071 and Section 551.087 to seek the advice of legal counsel and to deliberate regarding a proposed qualified hotel and convention center project located near Hwy 71 and FM 969.

11. TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION

12. ADJOURNMENT

All items on the agenda are eligible for discussion and action unless specifically stated otherwise.

The Bastrop City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations),

551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development), and §551.086 (Competitive Matters regarding Electric Utility).

Notice is hereby given of the possibility of a quorum of any of the City of Bastrop Boards and Commissions at this City Council Meeting.

NO Board/Commission action will be taken; NO deliberations will be held; and NO Board/Commission business will be conducted.

I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place convenient and readily accessible to the general public, as well as to the City's website, www.cityofbastrop.org and said Notice was posted on the following date and time: _____ at 4:00 p.m. and remained posted for at least two hours after said meeting was convened.

Victoria Psencik, Assistant City Secretary